

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GLENDAL. COOPER,
Plaintiff,

v.
HUMBOLDT COUNTY SUPERIOR
COURT, et al.,
Defendants.

Case No. 3:14-cv-00265-MMD-WGC

ORDER ADOPTING AND ACCEPTING
REPORT AND RECOMMENDATION OF
MAGISTRATE JUDGE WILILAM G. COBB

Before the Court is the Report and Recommendation of United States Magistrate Judge William G. Cobb ("R&R") (dkt. no. 7) recommending Plaintiff Glenda L. Cooper's action be dismissed with prejudice. Objections to the R&R were due by September 12, 2014. (*Id.*) No objection to the R&R has been filed.

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See United States v.*

1 *Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
2 employed by the district court when reviewing a report and recommendation to which no
3 objections were made); see also *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D.
4 Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the view that
5 district courts are not required to review "any issue that is not the subject of an
6 objection."). Thus, if there is no objection to a magistrate judge's recommendation, then
7 the court may accept the R&R without review. See, e.g., *Johnstone*, 263 F. Supp. 2d at
8 1226 (accepting, without review, a magistrate judge's recommendation to which no
9 objection was filed).

10 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
11 determine whether to adopt the R&R. The R&R finds that the Complaint states no
12 colorable claims and seeks relief that this Court cannot provide. (Dkt. no. 7 at 4–5.) Upon
13 reviewing the R&R and the record, this Court finds good cause to adopt the R&R in full.

14 It is therefore ordered that the R&R (dkt. no. 7) be accepted and adopted in its
15 entirety. This action is dismissed with prejudice.

16 It is further ordered that Plaintiff's Motion for Appointment of Counsel (dkt. no. 3),
17 Motion in Limine (dkt. no. 4) and Motion for Protective Order (dkt. no. 6) are denied as
18 moot.

19 The Clerk is directed to close this case.

20 DATED THIS 27th day of October 2014.

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22 MIRANDA M. DU
23 UNITED STATES DISTRICT JUDGE
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